IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE THE ACTING CHIEF JUSTICE MR.K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

WEDNESDAY, THE 7TH MARCH , 2007 / 16TH PHALGUNA, 1928

WA.No. 600 of 2007

(AGAINST THE JUDGEMENT IN WPC.27502/2006 Dated 29/11/2006)
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APPELLANT: NOT A PARTY IN W.P.(C)

KERALA STAMP VENDORS' ASSOCIATION,
THRISSUR, REPRESENTED BY ITS GENERAL
SECRETARY, C.P.JOY.

BY ADV. SRI.MILLU DANDAPANI

RESPONDENTS/ PETITIONER-RESPONDENTS 1 TO 4 IN W.P.(C)
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1. SMT.BABY RAPPAI, AGED 58, W/O.RAPPAI,
PORATHUR HOUSE, JUBILEE NAGAR, NADATHARA,
THRISSUR.

2. SECRETARY TO THE GOVERNMENT,
REVENUE DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM.

3. THE SECRETARY TO THE GOVERNMENT,
FINANCE DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM.

4. THE DIRECTOR OF TREASURY,
THIRUVANANTHAPURAM.

5. THE DISTRICT TREASURY OFFICER,
COLLECTORATE, AYYANTHOLE, THRISSUR.

R1 BY ADV. SRI.G.SREEKUMAR.
R2 TO R5 BY SR.GOVT. PLEADER SMT.K.MEERA.

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S.RADHAKRISHNAN,Ag.C.J & M.N.KRISHNAN,J.

W.A.NO. 600 OF 2007

Dated this the 7th day of March, 2007

J U D G M E N T

Radhakrishnan, Ag.C.J.

This appeal is filed against the judgment dated 29.11.2006 in W.P.(C) No.27502 of 2006. The writ petition was filed seeking for a direction to the respondents to take up Exts.P1 to P3 and finally conclude the issue by notifying fresh appointments as Stamp Vendors in the 22 vacancies as reported and covered by Ext.P1 and also other consequential reliefs. The learned Single Judge directed the District Collector to fill up 15 vacancies based on relative merit of candidates and balance to be considered for allotment among legal heirs of the deceased stamp vendors. Government was also directed to issue guidelines for filling up the vacancies of deceased stamp vendors by their legal heirs and all appointments should be made within a period of two months. Challenging this, the Kerala Stamp Vendor's Association has filed this appeal.

2. According to the appellant, the appointment of the Licenced Stamp Vendors can only be made by a District Committee consisting of the District Collector, District Registrar (General) and District Treasury Officer as members. It is also

submitted that on the basis of the report of the said District committee, the District Treasury Officer shall issue licences to the selected Stamp Vendors. According to them, the practice followed has been that the issuance of the Vendor's Licence that has arisen consequent to the demise of the Stamp Vendor was only to the dependant of the deceased Stamp Vendor, provided, he/she submits an application in time and is otherwise qualified.

3. Now, we are informed that the District Treasury Officer has published a Notification dated 14.2.2007 inviting applications for the appointment of the Stamp Vendors in the District. Annexure-C is the Notification.

4. In such circumstances, no further directions are necessary. We set aside the judgment of the learned Single Judge.

The writ appeal is disposed of as above.

K.S.RADHAKRISHNAN,
Acting Chief Justice

M.N.KRISHNAN,
Judge

Mbs/

Mbs/

K.THANKAPPAN, J

Crl.Appeal NO. OF 2001

J U D G M E N T

DATED:13-02-2007